

REMARKS

Claims 1-20 are pending. Claims 1, 2, 5-7, 9-17, 19 and 20 have been rejected under 35 U.S.C. §102. Claims 3-6, 8, 9, 18 and 19 have been rejected under 35 U.S.C. §103. Claims 1, 2, 11, and 14 have been amended. Support for the amendment to claims 1 and 14 is found at least in paragraph 28 of the specification and at least in Figures 4-8. Claims 2 and 11 were amended to comport with the amendment made to claim 1. Claims 1-20 remain for consideration upon entry of the present Amendment. No new matter has been added.

Claims 1, 2, 7, 10-17, and 20 have been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,168,280 to Mock et al. (hereinafter "Mock"). In view of the amendments made to claims 1 and 14, Applicants respectfully request reconsideration.

Claim 1 of the present application, as amended, recites a shaving apparatus comprising a razor cartridge having one or more razor blades, each of the blades having a cutting edge; a shaving aid dispenser having a contact panel disposed adjacent the cutting edges of the razor blades and one or more valves disposed within the contact panel such that a flow passage of each of the valves is defined by an aperture extending through and defined by a surface of the contact panel; and a reservoir for containing a non-solid shaving aid material, the reservoir being in fluid communication with the one or more valves. Each of the valves is selectively operable between an open position and a closed position.

Claim 14 of the present application, as amended, recites a shaving apparatus comprising a razor cartridge having one or more razor blades, each blade having a cutting edge; a shaving aid dispenser having a contact panel disposed adjacent the cutting edges of the one or more blades and one or more valves disposed within the contact panel, each of the valves being surrounded by the contact panel; and a reservoir for containing a non-solid shaving aid material, the reservoir being in fluid communication with the one or more valves. Each of the valves is selectively operable from a closed position to an open position by applying a normal force to the contact panel that is sufficient to operate the razor cartridge.

Mock is directed to a shaving apparatus for shaving flat and contoured surfaces. The apparatus makes it possible to distribute a film of cosmetic or pharmaceutical preparation on the skin being shaved just prior to shaving. The apparatus comprises an applicator part, a feed part, and a blade part, the blade part and the applicator part together forming a razor head. The feed part forms a razor handle. The preparation is applied by means of a roll or a spatula-like part. The feed part has a reservoir and a pump, the reservoir being configured to store the preparation. The blade part comprises at least one blade that cooperates with the applicator part.

In embodiments in which the preparation is applied by means of a roll, a channel through which the preparation is dispensed can be closed or at least constricted by pressing on the roll. (Column 5, lines 18-21.) To apply the preparation, the razor head is drawn over the skin such that the roll rolls over the skin directly preceding the blades. The pump is operated to dispense the preparation from the reservoir where it is distributed as a thin film on the roll for subsequent transfer to the skin. (Column 5, lines 52-62.) In embodiments in which the preparation is applied by means of a spatula-like part, the "inner [lip] 33.1 (or manipulation part of the applicator 30.2, FIG. 1) is constructed as a deflectable spatula 35 and the outer lip 33.2 is rigid." (Column 11, lines 27-30.) When the preparation is applied using a spatula, the spatula can be elastically constructed such that, in the operative position, it closes the supply channel from the reservoir, but deflected in the application position it does not obstruct the opening of the supply channel. (Column 11, lines 42-46.)

Mock fails to disclose, teach, or suggest a shaving apparatus comprising a shaving aid dispenser, the dispenser comprising one or more valves disposed within a contact panel, and a flow passage of each of the valves being defined by an aperture extending through the contact panel, as recited in claim 1. Because they are apertures, the flow passages in the present invention are holes, each of which extends through the contact panel and each being defined by one contiguous peripheral surface that forms the flow passage. In Mock, in contrast, the supply channel from the reservoir through which shaving preparation is dispensed is defined by a lip that forms the mouth of a channel that is closable via either a roller or another lip. Without the roller or other lip, the supply channel is open. Thus, in Mock a flow passage is not defined by an aperture extending

through a contact panel as in the present invention as claimed. Accordingly, flow passage apertures that extend through a panel, as claimed, are patentably distinct from supply channels formed by the engagement of two or more surfaces wherein each surface is respectively defined by a lip and a roller.

Mock further fails to disclose, teach, or suggest a shaving apparatus having one or more valves disposed within a contact panel, wherein each of the valves is surrounded by the contact panel, as recited in claim 14. The valves in the Mock invention are not disposed within a contact panel, nor are they surrounded by the contact panel. They are instead (as stated above) defined by a lip and either a roller or a second lip. The configuration of the lip and either the roller or the second lip is not a contact panel that surrounds a valve, as recited in claim 14. Accordingly, valves that are surrounded by a contact surface of a panel, as in the present invention, are patentably distinct from those defined by two distinct surfaces, as in Mock.

To anticipate a claim under 35 U.S.C. §102, a single reference must disclose each and every element of the claimed invention. Absence from the reference of any claimed element negates anticipation. Because Mock fails to disclose, teach, or suggest a shaving aid dispenser that comprises one or more valves disposed within a contact panel, and a flow passage of each of the valves being defined by an aperture extending through the contact panel, as recited in claim 1, claim 1 is not anticipated by the Mock reference. For at least this reason, claim 1 is allowable, and Applicants respectfully request that the Examiner withdraw the rejection of claim 1. Furthermore, because Mock fails to disclose, teach, or suggest a valve disposed within a contact panel, the valve being surrounded by the contact panel, as recited in claim 14, claim 14 is not anticipated by the Mock reference. For at least this reason, claim 14 is allowable, and Applicants respectfully request that the Examiner withdraw the rejection of claim 14.

Dependent claims, by definition, further define the subject matter of the independent claims from which they depend. Because claims 2, 7, and 10-13 depend from claim 1, claims 2, 7, and 10-13 add recitations that further define the subject matter of independent claim 1. Because claim 1 is believed to be allowable for at least the reasons presented above, claims 2, 7, and 10-13 are therefore also believed to be allowable. Consequently, Applicants respectfully request that the rejections of claims 2,

7, and 10-13 be withdrawn. Furthermore, because claims 15-17 and 20 depend from claim 14, claims 15-17 and 20 add recitations that further define the subject matter of independent claim 14. Because claim 14 is believed to be allowable for at least the reasons presented above, claims 15-17 and 20 are therefore also believed to be allowable. Consequently, Applicants respectfully request that the rejections of claims 15-17 and 20 be withdrawn.

Claims 3, 4, 8, and 18 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Mock. The Examiner alleges that the various claimed shapes appear to be equivalent and the choice of one would appear to be an obvious matter to be determined by an artisan. The Examiner further alleges that the type of material for the support such as an elastomer, which is old in the art, would be obvious.

Claims that depend from a claim that is non-obvious are themselves necessarily non-obvious. Because claims 3, 4, and 8 depend from claim 1, and because claim 1 is non-obvious, claims 3, 4, and 8 are also necessarily non-obvious. Applicants, therefore, respectfully submit that claims 3, 4, and 8 are allowable. Accordingly, Applicants respectfully request that the rejections of claims 3, 4, and 8 be withdrawn. Furthermore, because claim 18 depends from claim 14, and because claim 14 is non-obvious, claim 18 is also necessarily non-obvious. Applicants, therefore, respectfully request that claim 18 is allowable and accordingly respectfully request that the rejection thereof be withdrawn.

Claims 5, 6, 9, and 19 are rejected under 35 U.S.C. §102(b) as anticipated by or, in the alternative, under 35 U.S.C. §103(a) as obvious over Mock.

As stated above, dependent claims further define the subject matter of the independent claims from which they depend. Because claims 5, 6, and 9 depend from claim 1, claims 5, 6, and 9 add recitations that further define the subject matter of independent claim 1. Because claim 1 is believed to be allowable for at least the reasons presented above, claims 5, 6, and 9 are therefore also believed to be allowable. Consequently, Applicants respectfully request that the rejections of claims 5, 6, and 9 be withdrawn. Furthermore, because claim 19 depends from claim 14, claim 19 adds recitations that further define the subject matter of independent claim 14. Because claim 14 is believed to be allowable for at least the reasons presented above, claim 19 is

therefore also believed to be allowable. Consequently, Applicants respectfully request that the rejections of claim 19 be withdrawn.

Also as stated above, claims that depend from a claim that is non-obvious are themselves necessarily non-obvious. Because claims 5, 6, and 9 depend from claim 1, and because claim 1 is non-obvious, claims 5, 6, and 9 are also necessarily non-obvious. Applicants, therefore, respectfully submit that claims 5, 6, and 9 are allowable. Accordingly, Applicants respectfully request that the rejections of claims 5, 6, and 9 be withdrawn. Furthermore, because claim 19 depends from claim 14, and because claim 14 is non-obvious, claim 19 is also necessarily non-obvious. Applicants, therefore, respectfully request that claim 19 is allowable and accordingly respectfully request that the rejection thereof be withdrawn.

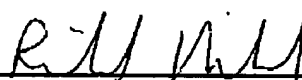
Applicants believe that the foregoing amendments and remarks are fully responsive to the Office Action and that the claims herein are allowable. In view of the foregoing points that distinguish Applicants' invention from those of the prior art and render Applicants' invention novel and non-obvious, Applicants respectfully request that the Examiner reconsider the present application, remove the rejections, and allow the application to issue.

If the Examiner believes that a telephone conference with Applicants' attorneys would be advantageous to the disposition of this case, the Examiner is invited to telephone the undersigned.

Applicants believe that no fees are due with the submission of this Amendment. If any charges are incurred with respect to this Amendment, they may be charged to Deposit Account No. 503342 maintained by Applicants' attorneys.

Respectfully submitted,

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